

**LOCAL AGENCY FORMATION COMMISSION  
COUNTY OF SAN BERNARDINO**

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**DATE:** FEBRUARY 10, 2004

**FROM:** KATHLEEN ROLLINGS-McDONALD, Executive Officer

**TO:** LOCAL AGENCY FORMATION COMMISSION

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**SUBJECT: AGENDA ITEM #7:** LAFCO 2947 – West Valley Mosquito and Vector Control District Annexation

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**INITIATED BY:**

District Resolution, West Valley Mosquito and Vector Control District  
Board of Directors

**RECOMMENDATION:**

1. Certify that LAFCO 2947, West Valley Mosquito and Vector Control District Annexation, is statutorily exempt from environmental review and direct the Clerk to file the Notice of Exemption within five days.
2. Approve LAFCO 2947 – West Valley Mosquito and Vector Control District Annexation subject to the following conditions:
  - a. Completion of LAFCO 2947 shall be contingent upon successful formation of the benefit assessment district for the West Valley Mosquito and Vector Control District through assessment proceedings identified as “Mosquito, Vector and Disease Control District”, by mailed ballot provided not less than 45 days prior to the April 21, 2004 District public hearing; and,
  - b. Protest proceedings for LAFCO 2947 shall be held in abeyance, not to exceed six months, to allow for completion of the assessment district proceedings prior to commencement of this period.

3. Adopt LAFCO Resolution #2807 setting forth the Commission's findings and determinations.

**BACKGROUND:**

LAFCO 2947 is a proposal to annex approximately 47,000 acres to the West Valley Mosquito and Vector Control District (WVMVCD). The study area includes the balance of the City of Montclair and its sphere of influence not currently a part of the WVMVCD, the balance of the City of Ontario not currently a part of WVMVCD, and the corporate boundaries of the City of Rancho Cucamonga. The study area is generally located in the southwestern portion of the County, within the western part of the San Bernardino Valley. Maps of the area are included as Attachment #1 to this report.

At the November 2003 hearing, after many months of negotiation by the WVMVCD with the cities and the County Vector Control Program, the Commission authorized the expansion of the WVMVCD sphere of influence to encompass the sphere and boundaries of the Cities of Montclair, Ontario and Rancho Cucamonga that were not then a part of the District. The application presented at this time is the companion proposal to that expansion, proposing to annex to the service area of the District the territory defined by its service contracts with the respective Cities. The District has indicated that this annexation will allow it to change the direction of its service delivery to these areas, to provide for preventative measures rather than simply responding to complaints. The District proposes these measures due to the emergence in San Bernardino County of a number of diseases such as the West Nile Virus, Hantavirus, etc. As noted above, the District has coordinated this application with each of the affected municipalities (Cities of Montclair, Ontario and Rancho Cucamonga) who have submitted letters to the Commission outlining their consent to the annexation if the benefit assessment ballot is successful (copies of the letters are included as Attachment #4).

In every change of jurisdiction presented to the Commission, four primary factors are reviewed: boundaries, land uses, services, and environmental issues. In the annexation to a District which provides regional services not linked to development, such as those provided by the WVMVCD, a response to these factors does not neatly fit into these defined categories in the way service delivery of water and/or sewer would. Provided below is the staff response to each of these elements:

**1. BOUNDARIES ISSUES:**

The annexation proposal includes approximately 73.4 square miles (47,000 acres), addressing the remainder of the City of Montclair and its sphere of influence not currently a part of the District, the remainder of the City of Ontario not currently a part of the District, and the whole of the City of Rancho Cucamonga. Included within this area are an estimated 78,651 dwelling units with an estimated resident population of 222,000 persons. The County Registrar of Voters has indicated that the area includes 95,000 registered voters. The boundaries, as proposed for annexation, address the areas currently served by the District through its contracts with the individual Cities.

## **2. LAND USE:**

The services provided by the WVMVCD are not development related; therefore, they have no direct impact on the present land uses authorized by the respective municipalities. However, the proposed annexation area includes vast areas of urban, suburban and rural land uses along with open space and public uses. The transition from an agricultural-based area to an urbanized one increases the threat of existing and new vector-borne diseases and of nuisance vectors to the area's inhabitants.

## **3. SERVICE ISSUES**

The existing service needs of the annexation area are currently provided through contractual relationships between the WVMVCD and the Cities of Montclair, Ontario and Rancho Cucamonga. Each City provides for payment to the District for services rendered. During Fiscal Year 2002-03, the City of Ontario paid \$31,000, and the City of Rancho Cucamonga paid \$88,500. The newly negotiated contract with the City of Montclair provides for services not to exceed \$30,000. All of these amounts are paid for the respective Cities' general fund revenues. The contractual services provided through these agreements are at a lower level than currently provided by the District within its boundaries to its benefit zones and are generally identified as a response to complaints involving mosquitoes or vectors.

As a part of the annexation process, the District has indicated it will conduct an assessment proceeding to form an assessment district to fund the services to be provided upon completion of the annexation process. The anticipated date for completion of this assessment proceeding is April 21, 2004. The District has indicated that should the assessment district proceeding fail, it would not pursue completion of its annexation (letter dated September 15, 2003 included as Attachment

#3). In furtherance of this position, the District is requesting that as a condition of the annexation, the protest proceedings be held in abeyance until completion of the assessment proceedings.

The annexation, through the revenues expected from the proposed assessment district, is anticipated to result in “new, expanded and more proactive services to control and abate mosquitoes and other disease carrying or health harming insects” to be provided to the residents of this area. This level of service will be commensurate with that currently provided by the District to the areas currently within its boundaries.

The current boundaries of the District are divided into two zones, each with assessments for service delivery linked to the specific needs of the area. Through approval of this annexation, and the assessment proceeding, an additional zone of the District will be formed.

The District has identified the types of services which it provides within its existing boundaries and which would be extended to the annexation area upon annexation. Those services are within four main areas, identified as:

- a. Response to requests for service by the public – abatement of disease or poisonous vectors (Africanized Honey Bees, wasps, and mosquitoes, etc.), nuisance type vectors (flies, skunks, opossums, etc.) or vector breeding sources. The Plan outlines that the District responds to complaints within 24 hours of receipt.
- b. Routine inspection and elimination or treatment of breeding sources and the provision of advice to property owners on methods to mitigate the source whenever possible.
- c. Regularly scheduled surveillance for diseases such as West Nile Virus, Hantavirus, Western Equine Encephalomyelitis, etc. The Plan for Service identifies that this increased level of surveillance will allow the District to better respond to new and emerging public health threats. The Plan identifies the means by which the District will provide these services, such as maintenance of Sentinel chicken flocks to monitor the presence of arboviruses in the area.
- d. Education of the general public regarding vectors, vector-born diseases, control and prevention. The District will extend its current education and outreach programs within the annexation area to provide the information to the public so that they may

protect their families and pets. The Plan for Service outlines the current methods employed by the District for its outreach and education programs.

The estimated annual cost for providing this level of service to the annexation area has been identified in the assessment district plan (Page 13 of document included as a part of Attachment #2). The total costs are estimated at \$792,410, which translates into an annual assessment of \$10 per equivalent single-family equivalent unit (as such is defined within the assessment plan). The costs are broken down as follows:

Services and Related Expenditures Including Capital Improvements and Facilities	\$605,622
Contributions from other Sources and From the District	\$ (61,000)
Incidental Costs (County collection of assessment, balloting, levy administration and contingencies)	\$247,788
TOTAL (Net amount to be assessed):	\$792,410

#### **4. ENVIRONMENTAL ISSUES:**

The Commission is the lead agency for environmental review of this proposed annexation and its environmental consultant, Tom Dodson and Associates, has reviewed the proposal. Mr. Dodson has presented a recommendation to the Commission for the adoption of a Statutory Exemption pursuant to Section 15061(b)(3) for the proposal as no change in the physical environment will take place through this action. A copy of Mr. Dodson's response is included as Attachment #5 to the report.

#### **CONCLUSION:**

In conclusion, the staff supports the annexation to the WVMVCD for the following reasons:

1. It allows for the provision of augmented services to area through the District, validating previous contracts for service. These preventative services will augment the quality of life enjoyed by the residents, both permanent and transitory, of the area. The staff supports the inclusion

of conditions that outline that further proceedings be held in abeyance on this application until the completion of the assessment proceedings and that the completion of the annexation is contingent upon the success of the assessment proceeding.

2. The landowners of this area will determine directly the success or failure of the annexation based on their vote on the assessment district proceeding. If they do not support the District's augmented service plan, then the maintenance of contracts with the Cities for the current level of service would be appropriate.
3. The Cities of Montclair, Ontario and Rancho Cucamonga have indicated their support for this strategy through their actions outlining support for the annexation, if the assessment proceedings are successful.

**FINDINGS:**

The following findings are required to be provided by Commission policy and Govt. Code Section 56841:

1. The subject 47,000 +/- acre area proposed for annexation has been certified by the San Bernardino County Registrar of Voters as being legally inhabited, with 95,002 registered voters as of February 6, 2004.
2. The County Assessor has indicated that the total assessed value of the annexation area is \$19,076,176,237 (\$5,681,811,718 land value; \$13,394,364,519 improvement value).
3. The area is a part of the West Valley Mosquito and Vector Control District sphere of influence as determined by the Commission at its November 2003 hearing.
4. Legal advertisement of the Commission's consideration has been provided through publication in the *Inland Valley Daily Bulletin*, *The Sun*, the *Chino Champion*, and the *LA Daily News*, newspapers of general circulation within the study area. The Notice of Hearing was posted by the Cities and independent Special Districts within the area of consideration. Individual notice has been provided to those individuals and agencies having requested such notification.
5. The County of San Bernardino General Plan, and the General Plans for the Cities of Montclair, Ontario, and Rancho Cucamonga provide for various designations of urban, suburban, rural and open space land

uses. The annexation to WVMVCD has no impact on land use designations within the study area.

6. Upon annexation, the District plans to extend its services as outlined in the Plan for Service and Assessment District Plan. The Plan for Service and the District's adopted Assessment District plan outline the level of service to be delivered through the District and identify that the assessment revenues to be generated will be sufficient to provide that level of service.
7. The Commission's Environmental Consultant, Tom Dodson and Associates, has reviewed the proposed annexation to the West Valley Mosquito and Vector Control District and determined that it is statutorily exempt from environmental review (See Attachment #5). Mr. Dodson's review indicates that the annexation to the District will have no potential to cause any physical change in the environment. The necessary actions of the Commission as the lead agency are:
  - a. Certify it has reviewed and found that the change is statutorily exempt from environmental review; and,
  - b. Direct the Clerk to file the Notice of Exemption within five days.
8. The area in question is presently served by the following public agencies:

County of San Bernardino  
County Service Area 38 and its Improvement Zone D  
County Service Area 70 and its Improvement Zone OS-1  
Cucamonga Valley Water District (formerly known as the Cucamonga County Water District)  
Inland Empire Utilities Agency and its Improvement Districts (formerly known as the Chino Basin Municipal Water District)  
Metropolitan Water District of Southern California  
Chino Basin Water Conservation District  
City of Montclair  
Monte Vista Fire Protection District  
City of Ontario  
City of Rancho Cucamonga  
Rancho Cucamonga Fire Protection District  
Inland Empire West Resource Conservation District

None of these agencies will be affected by the completion of this proposal.

9. The annexation proposal as submitted is consistent with adopted Commission policies and applicable state law.
10. The District has submitted a Plan for Services, as required by law and Commission policy (a part of Attachment #2). In addition, the District has provided an Assessment District Preliminary Engineers Report that outlines the services to be provided through the revenues generated within the assessment district. Taken together, these plans indicate that the District will extend services for the control and eradication of mosquitoes and vectors to the annexation area upon approval of the assessment district proceeding and completion of the annexation process.
11. All notices required by law have been provided. To date, no comments have been received from individuals or agencies other than the affected Cities expressing their support for this change.
12. The County of San Bernardino has adopted a resolution that indicates there will be no exchange of property tax revenues based upon this change of organization.
13. The map and legal description, as revised, are in substantial compliance with LAFCO and state standards through certification by the County Surveyor's Office.

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Attachments:

- 1 - Maps of Proposals
- 2 - Application, Plan for Services, Assessment Plan,
- 3 - District Letter dated September 15, 2003
- 4 - Letters of Support for Annexation from: City of Montclair, City of Ontario, and City of Rancho Cucamonga
- 5 - Environmental Assessment – Tom Dodson & Associates
- 6 - Draft LAFCO Resolution #2807